

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
2150 Webster Street, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors
Minutes of the 1,910th Meeting
June 9, 2022

A regular meeting of the Board of Directors was held on June 9, 2022, convening at 9:00 a.m., via teleconference, pursuant to all necessary findings having been made by the Board of Directors of the San Francisco Bay Area Rapid Transit District (for itself as well as all subordinate legislative bodies) to continue remote public meetings in the manner contemplated under urgency legislation Assembly Bill No. 361. President Saltzman presided; April B. A. Quintanilla, Acting District Secretary.

Directors Present: Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Simon, and Saltzman.

Absent: Director Allen.

President Saltzman gave instructions regarding Public Comment.

President Saltzman gave opening remarks and, under Item 2, Report of the Board President, commented that the Board Meeting on June 23, 2022, would be an in-station, morning meeting at the El Cerrito Del Norte Station and the Board meeting on July 28, 2022, would be an evening meeting and will tentatively be an in-person meeting depending on what's happening with the COVID numbers.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of May 12, 2022.
2. Resolution to Continue Virtual Meetings During the Pandemic.
3. BART Police Citizen Review Board Reappointments.
4. Transit Security Advisory Committee Appointment and Reappointments.
5. Award of Agreement No. 6M4788 with ConvergeOne, as the Official National Association of State Procurement Officials (NASPO) Provider, for Data Domain Backup Hardware and Software Upgrade and Platform Support Services.
6. Amendment to Agreement No. 6M4711, with CityHealth Urgent Care, a Medical Corporation, for Extension of Term and Increase in Funding for COVID-19 Testing Services.
7. Authority to Execute Contracts for On-Call Advertising Media Purchases.
8. Fiscal Year 2023 Quality of Life Initiatives: Amendment to Agreements for Elevator Attendants and Homeless Outreach.

Director Dufty made the following motions as a unit. Director Raburn seconded the motions.

1. That the Meeting Minutes of the Meeting of May 12, 2022, be approved.
2. That Resolution No. 5519, In the Matter of Re-Authorizing the District's legislative and subordinate legislative bodies to utilize the provisions enacted by Assembly Bill (AB) 361 to meet remotely with teleconferenced meetings during a re-proclaimed emergency as authorized by law in accordance with Government Code Section 54953(e) and other applicable provisions of the Ralph M. Brown Act for an additional period of thirty (30) days from the adoption of this Resolution, be adopted.
3. That the Board of Directors ratifies the reappointment of the following members for a term of two (2) years, beginning on July 1, 2022, and expiring on June 30, 2024:

Pedro Babiak, District 1
William White, District 3
Todd Davis, District 5
Christina Gomez, District 7
George Perezvelez, District 9
Erin Armstrong, Public-At-Large

4. That the Board of Directors (a) ratifies the appointment and reappointment of the following nominees for a term of two (2) years, beginning on July 1, 2022, and expiring on June 30, 2024:

Omar Farmer, Public-At-Large Representative
Tiffany Lacsado, Public-At-Large Representative
Randall Glock, Public-At-Large – Alternate; and

(b) Directs the District Secretary's Office to continuously recruit for the remaining Public-At-Large Representative (1) and Alternate (1) seat vacancies.

5. That the General Manager or his designee be authorized to negotiate and execute a NASPO ValuePoint computer equipment agreement with ConvergeOne in an amount not to exceed \$216,495.85 for the upgrade of Data Domain hardware and software platform support services.
6. That the General Manager be authorized to execute an amendment to Agreement No. 6M4711, with City Health Urgent Care for COVID testing services to extend the term of the Agreement to December 31, 2022, and to increase funding by \$300,000.00 for a total not-to-exceed amount of \$1,500,000.00.
7. That the General Manager be authorized to execute on-call contracts for media buying with vendors to include but not be limited to iHeart Media, Bonneville International, Cumulus, Audacy, Pandora and Zero Co. for Fiscal Year (FY) 23 through FY28 with funds coming from existing project, Marketing and other BART department budgets not to exceed \$1.4 million per fiscal year; and to allow additional media vendors to be added as needed, but within the overall annual cap of \$1.4 million, to provide the District with negotiating flexibility to obtain good value as the media market continues to evolve over the next several years.

8. That the Board authorizes the General Manager to extend existing agreements with the listed agencies for the specified services: (1) Urban Alchemy for elevator attendants at Civic Center/UN Plaza, Powell Street, Montgomery, and Embarcadero BART/San Francisco Municipal Transportation Agency (SFMTA) stations; in FY23 not to exceed \$3,000,000.00; BART will enter into a separate reimbursement agreement with SFMTA for 50% of actual costs for these services; and (2) Contra Costa Health Services (CCHS) for one dedicated Homeless Outreach Team in Contra Costa County; in FY23 not to exceed \$242,000.00 for assistance at end of the line stations and encampment resolutions.

President Saltzman called for Public Comment on the Consent Calendar. No comments were received.

The motions brought by Director Dufty and seconded by Director Raburn carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Simon, and Saltzman. Noes: 0. Absent: 1 – Director Allen.

President Saltzman called for general Public Comment.

Aleta Dupree and Antoine Taylor addressed the Board.

President Saltzman called for the General Manager's Report. Robert Powers, General Manager, reported on the system, the yards, and the shops and masks as it relates to BART; commented that Alameda County reinstated the indoor mask requirement; reported that System Safety has extended a systemwide, District mask mandate; West Oakland Transit Oriented Development Project received a \$5.4 million dollar grant from the State of California, Toxic Substance Control, and the funds will be used to offset some of the costs for the environmental remediation of the site and allow for the affordable housing and mixed development of the West Oakland community; shared that the Federal Transit Administration (FTA) announced that BART was awarded \$500,000 through a program called Route Planning Restoration Program to help transit agencies offset post COVID-19 system restorations; commented that ridership leveled off recently, but will continue to monitor and encourage ridership; referenced Juneteenth and Pride events taking place in the bay area; mentioned that Director Simon will be honored with an award for her philanthropic work in the community and commitment to social justice at the Annual Juneteenth at the Town Jubilee in Oakland on June 18th; mentioned that Directors, BART staff and the BART Mobile will participate in the San Francisco Pride Parade; and lastly BART will have a celebration on Saturday, September 10th honoring BART's 50th Anniversary at the Lake Merritt Station.

Aleta Dupree and Jon Spangler addressed the Board.

The item was discussed with the following highlights:

Director Dufty responded to comments made by Ms. Dupree that ABC and KGO Channel 7 in San Francisco is for the first-time, the broadcast partner for the San Francisco Pride 2022 with live broadcasting starting on June 26th; and queried the Chief of Police regarding retention and recruitment.

Director Raburn queried the General Manager on the systemwide computer failure that delayed opening; staff responded that it was associated with a network failure.

President Saltzman brought the matter of Quarterly Report of the Controller/Treasurer for the Periods Ending December 31, 2021, and March 31, 2022, before the Board. Christopher Gan, Interim Controller/Treasurer, presented the item.

The item was discussed with the following highlight:

Director Ames queried staff on the use of unrestricted funds in future years for economic uncertainty and the \$25 million allocated, clarifying that these are not stimulus funds.

Director Simon, Chairperson of the Administration Committee, brought the matter of Award of Agreement No. 6M4782 with Claremont EAP Powered by Uprise Health, for Comprehensive Employee Assistance Program (EAP) before the Board. Alaric Degrafinried, Assistant General Manager, Administration, presented the item.

The item was discussed, with the following highlights:

Director Raburn commented on the critical need to provide supportive services to our employees, and further commented that the District needs to spend funds to help the community; deferred to staff to comment on the low Minority Business Enterprise/Women Business Enterprise (MBE/WBE) percentages associated with the contract; further commented on seeking enhanced participation on the bids by unbundling the contract to enable local MBEs and WBEs who are able to participate in the \$4.5 million dollars this represents over the next 5 years.

Director Raburn moved that the General Manager be authorized to award Agreement No. 6M4782 to Claremont EAP powered by Uprise Health for comprehensive Employee Assistance Program (EAP) services for BART employees and their families as well as substance abuse services for BART employees only, for a base period of five (5) years, for a total amount not to exceed \$4,500,000.00. Director Dufty seconded the motion.

Discussion continued, with the following highlight:

Vice President Li requested that staff comment on Director Raburn's motion and that the motion be stated in its entirety.

The motion brought by Director Raburn and seconded by Director Dufty carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Simon, and Saltzman. Noes: 0. Absent: 1 – Director Allen.

Director Simon brought the matter of Resolution Approving Fiscal Year 2023 and Fiscal Year 2024 Two-Year Budget before the Board. Pamela Herhold, Assistant General Manager, Performance and Budget, and Christopher Simi, Director of Budgets presented the item.

The following individuals addressed the Board:

Jon Spangler
Aleta Dupree
Joe Kunzler

The item was discussed with the following highlights:

President Saltzman deferred to staff to respond to a question from a member of the public; expressed enthusiasm about the budget, small service improvements and attended restrooms; commented on the 50% ridership discount in September; and expanding the Clipper Start Program.

President Saltzman moved that Resolution No. 5520, In the matter of approving The Annual Budget for the San Francisco Bay Area Rapid Transit District and authorizing Expenditures for the Fiscal Year July 1, 2022, to June 30, 2023, and Fiscal Year July 1, 2023, to June 30, 2024, be adopted. Director Simon seconded the motion.

Discussion continued, with the following highlights:

Director Ames commented that she's pleased to see the two-year budget; queried staff with a few questions related to the capital projects and a corresponding budget presentation.

Director Raburn commented that there have been a number of changes in the way the Board budgets at BART; thinks this budget reflects cutbacks and the need to increase service beyond what's currently being provided; expressed excitement with the Capital Projects report presented.

Director Dufty thanked staff for their presentation; echoed the same sentiments as President Saltzman and Director Raburn; referenced the discounts offered to youth, seniors, disabled persons, as well as the efforts by the Board to offer even deeper discounts in those areas; acknowledged comments made by Aleta Dupree regarding costs; commented that it would be irresponsible to delay again the inflation-based fare increase; and lastly queried the Chief of Police on the fixed posts at Civic Center Station.

Director Foley thanked staff for their presentation, commenting that there's lots of positives in the budget; the fare increase is less than inflation; it also includes filling all BART Police vacancies that are critical from a safety aspect; and allows the Board to look at improved future service; lastly echoed the comments from Ms. Dupree that the Board does need resolution to help guide staff about the priorities of the Board, and lastly, Joe Kunzler who mentioned access to the elevators, accessibility and mobility.

The motion brought by President Saltzman and seconded by Director Simon carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Saltzman and Simon. Noes: 0. Absent: 1 – Director Allen.

Director Simon brought the matter of Fiscal Year 2022 Third Quarter Financial Report before the Board. Assistant General Manager Herhold, and Budget Director Simi presented the item.

Aleta Dupree addressed the Board.

Director Dufty, Chairperson of the Engineering and Operations Committee, had no report.

Director Foley, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of State Legislative Update and Legislation for Consideration before the Board. Amanda Cruz, Manager of Government Relations and Legislative Affairs, presented the item.

Director Foley stated that the Board would bifurcate the vote and staff would provide an update and vote for Assembly Bill 1621 and Assembly Bill 2011, before moving onto Senate Bill 1161.

The following individuals addressed the Board:

Aleta Dupree
Joe Kunzler
Harriet Richardson
Adina Levin

The item was discussed with the following highlights:

Staff responded to the comments referenced by Harriet Richardson, Inspector General, regarding the language of Senate Bill (SB) 1488.

Director Raburn commented that he supports Senate Bill 917, citing concerns with retaining fiduciary responsibility as a Board; supports Assembly Bill (AB) 1621 and Assembly Bill 2011; and referenced Assembly Bill 371, taking an oppose position, asking staff to review to determine if it would have onerous insurance requirements for BART.

Director Raburn moved that the Board of Directors supports Assembly Bill 1621 and Assembly Bill 2011. President Saltzman seconded the motion.

Discussion continued, with the following highlights:

Director Ames commented expressed concerns about Assembly Bill 2011 and queried staff if the bill was proposing to remove office and retail centers for housing or addressing the jobs and housing imbalance; and lastly, expressed an opposed position as written.

Director Ames made a motion to place Assembly Bill 2011 on the watch list. Director Ames motion died for lack of a second motion.

President Saltzman commented the Board was bifurcating the vote and Director Ames could vote for Assembly Bill 1621 and oppose or watch Assembly Bill 2011; expressed support for the bills being offered; commented the Board could possibly take a vote on the forthcoming Amendment of Senate Bill 917, at its next meeting at the meeting scheduled at the El Cerrito del Norte Station; lastly asked staff to continue to meet with the Inspector General to work on the amendments to Senate Bill 1488.

Director McPartland queried staff on the amendments proposed to Senate Bill 1488; expressed opposition to the amendments proposed by staff.

Director Foley thanked staff for bringing the Assembly Bill 1621 legislation regarding unserialized guns before the Board.

The motion brought by Director Raburn and seconded by President Saltzman regarding Assembly Bill 1621, carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Simon, and Saltzman. Noes: 0. Absent: 1 – Directors Allen.

Director McPartland exited the Meeting.

The motion brought by Director Raburn and seconded by President Saltzman regarding Assembly Bill 2011 carried by roll call vote. Ayes: 6 – Directors Dufty, Foley, Li, Raburn, Simon, and Saltzman. Noes: 1 – Director Ames. Absent: 2 – Directors Allen and McPartland.

Vice President Li exited the Meeting to recuse herself from the staff presentation, vote, and discussion regarding Senate Bill 1161.

Government and Community Relations Manager Amanda Cruz presented the item.

Aleta Dupree addressed the Board.

President Saltzman moved that the Board of Directors supports Senate Bill 1161. Director Dufty seconded the motion, which carried by unanimous roll call vote. Ayes: 6 – Directors Ames, Dufty, Foley, Raburn, Simon, and Saltzman. Noes: 0. Absent: 3 – Directors Allen, Li, and McPartland.

Vice President Li re-entered the Meeting.

Director Foley brought the matter of Ashby and North Berkeley BART Station Transit-Oriented Development (TOD) before the Board. Shannon Dodge, Principal Property Development Officer, and Abigail Thorne-Lyman, Director of Real Estate and Property Development, presented the item.

Jesse Arreguin, Mayor of the City of Berkeley, and Aleta Dupree addressed the Board.

The item was discussed with the following highlights:

President Saltzman shared enthusiasm about the project and thanked staff for their work on the project; thanked Mayor Arreguin and Director Simon for their support of the projects; cited that this can be transformative for the City of Berkeley as the City has committed \$53 million to these projects for affordable housing;

President Saltzman moved that the BART Board of Directors (1) Approves the *City – BART Joint Vision and Priorities for TOD for Ashby and North Berkeley BART Stations* attached hereto as Exhibit 1; (2) approves the BART rider parking maximums of 85 spaces at Ashby and 200 spaces at North Berkeley; and (3) that the General Manager or his designee be authorized to execute the *Memorandum of Agreement re North Berkeley and Ashby Transit-Oriented Developments*. (Exhibit 1 is attached and hereby made a part of these Minutes). Director Simon seconded the motion.

Discussion continued, with the following highlight:

Director Ames commented that this project is needed for the City of Berkeley.

The motion by brought by President Saltzman and seconded by Director Simon carried by unanimous roll call vote. Ayes: 7 – Directors Ames, Dufty, Foley, Li, Raburn, Simon, and Saltzman. Noes: 0 . Absent: 2 – Directors Allen and McPartland.

Director Foley brought the matter of Lake Merritt Station Area Projects before the Board. Real Estate and Property Development Director Thorne-Lyman; Tim Chan, Group Manager, Station Area Planning; and Gina Galetti, Deputy Chief of Police, presented the item

Savlan Hauser addressed the Board.

The item was discussed with the following highlights:

Director Raburn thanked Savlan Hauser for support of the project; expressed enthusiasm that the project is at its final stages; commented that part of the process includes finding a permanent location for the BART Police Department; and lastly quired staff on they are not only looking at BART property as a possible location but other locations off site as well.

Director Ames commented that she has had some experience in the past with public safety buildings and that can be complex; location is important; thinks that having a public safety building away from Oakland could prove problematic in the event of an emergency such as a major earthquake; and lastly expressed concern with the project, public outreach efforts, potential costs and further discussion and funding strategy before September.

Director Foley, brought the matter of Celebrating 50 Years of Service before the Board. Alicia Trost, Chief Communications Officer; and Rodd Lee, Assistant General Manager, External Affairs; and Real Estate and Property Development Director Thorne-Lyman presented the item.

The following individuals addressed the Board:

Aleta Dupree
Joe Kunzler
Clarence Fisher

The item was discussed with the following highlights:

President Saltzman expressed excitement about the creativity of staff in celebration of BART's 50 years of service and the BART retail store.

Vice President Li thanked staff and expressed excitement about the anniversary celebration; acknowledged that this has been a difficult time for BART employees, especially frontline staff; expressed appreciation of all of the pens, tokens, patches, etcetera aimed at celebrating employees.

President Saltzman called for Board Member Reports, Roll Call for Introductions, and In Memoriam Requests.

Director Raburn reported that in April he attended a Public Safety Meeting with Lieutenant McNack of the BART Police Department along with Council Member Gallo, the Unity Council, small local businesses and 50 or so neighbors; the Unity Council in response to concerns regarding public safety has delivered new signs to help improve safety in the surrounding area in and around the Fruitvale Station and Plaza.

Director Dufty shared that a public commenter, commented that another speaker did not yield back time. Director Dufty referenced that the philosophy of BART is that it's the people's time and if someone wants

to speak for their allotted time or not, it's their choice to do so and their time should never be curtailed as its their right to speak publicly and will be respected.

Director Foley reported that he attended an American Public Transportation Association (APTA) Rail Conference in San Diego; acknowledged a few of the presenters from BART, Scott Van Dusen, Roy Aguilera, and Alicia Trost.

President Saltzman announced that the Board would enter into closed session under Items 11-A (Conference with Labor Negotiators) and 11-B (Conference with Real Property Negotiators) of the Regular Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 12:28 p.m.

The Board reconvened in closed session at 12:46 p.m.

Directors present: Directors Ames, Dufty, Foley, Li, Raburn, Simon, and Saltzman.

Absent: Directors Allen and McPartland.

The Board Meeting recessed at 2:31 p.m.

The Board reconvened in open session at 2:32 p.m.

President Saltzman announced that the Board had concluded its closed session under Items 11-A and 11-B and that there were no announcements to be made.

The Meeting adjourned at 2:32 p.m.

April B. A. Quintanilla
Acting District Secretary

Joint Vision & Priorities for Transit-Oriented Development for Ashby and North Berkeley BART Stations

Background

The December 10, 2019 Memorandum of Understanding (MOU) between BART and the City of Berkeley calls for the City and BART, with input from the City's Community Advisory Group (CAG) to establish a "joint vision and priorities" document. The goal of this document is to provide a concise statement of the City and BART's shared, high-level expectations for future development of both the Ashby and North Berkeley BART properties.

Per the MOU, this "joint vision and priorities" document will be incorporated into future Request(s) for Qualifications (RFQs) for development of both the Ashby and North Berkeley Station development, and will help guide the process from developer selection through project construction. This City-BART Joint Vision and Priorities document was one of three key outcomes of the CAG process for both North Berkeley and Ashby BART development (along with updated zoning consistent with AB 2923, and the RFQs for developers).

[This once-in-a-generation opportunity to create vibrant new neighborhoods for Berkeley merits elevated, world-class design for built and landscaped elements, including affordable housing.](#)

Affordable Housing

VISION

New housing at a variety of income levels at both the Ashby and North Berkeley BART Stations will address the City's housing crisis, stem the displacement of residents—especially of the African American community in Berkeley—and support more equitable access to housing for lower-income families and individuals. New housing must also be created quickly to reflect the urgency of the climate and affordability crises, capturing the inherent environmental and equity benefits of walkable, affordable transit-oriented housing in Berkeley's most transit-rich areas. North Berkeley and Ashby will provide a new model for delivering affordable housing in neighborhoods that are rich in infrastructure and strategically located to make regional transit, economic opportunity, and community amenities more broadly and equitably accessible.

Shared Priorities

- A. **Housing Priorities.** Maximize the number of new homes, and especially permanently affordable, deed-restricted homes. We anticipate a range of 500-1200 units at each station with a variety of unit sizes including units appropriate for multi-generational families/households.

- B. **Urgency.** Deliver new housing, including affordable units, within 10 years, by 2031, to reflect the urgency of the climate, affordability, and housing crises.
- C. **Affordable Housing Goal.** The City and BART will strive to maximize the number of permanently affordable, deed-restricted housing units within the funding that can be identified.
1. Affordable housing may be developed in multiple phases over a number of years.
 2. The amount of affordable housing which can be provided at each site within the 10-year time frame will depend on many outside factors including the availability of state and federal housing resources.
 3. At a minimum, at least 35% of the new units at each site will be restricted affordable housing. It is anticipated that each site could achieve at least 50% affordable housing, subject to the timely availability of financing.
 4. The City and BART will work together to support selected developers in proactively assembling affordable housing subsidies in order to exceed the 35% minimum.
 5. If both sites are able to provide at least 50% affordable housing in a way that is financially feasible, and if additional funding becomes available, the priority for that additional funding would be to maximize the number of affordable units at Ashby station in recognition of the ongoing threat of displacement to the historic community of South Berkeley.
- D. **Income Targets:** At least 35% of new housing at each site must be affordable to households earning an average of up to 60% of Area Median Income (AMI). Of that, at least 20% (or 7% of total units at each site) must be affordable to Extremely Low-income households, those earning up to 30% of AMI. Additional affordable units should prioritize Very Low Income (up to 50% of AMI) households and Low Income (up to 80%) households but may include some housing restricted with households with incomes up to 120% of AMI, consistent with the more specific direction provided in the City-BART Memorandum of Agreement.
- E. **Sequencing.** Affordable housing should be built prior to, or along with, any market rate housing.
- F. **Displacement Prevention.** Affordable housing should provide a preference for residents of Berkeley who are facing displacement, or who have been displaced from Berkeley in the past due to economic or discriminatory reasons.
- G. **Developer Selection.** In the developer selection process, prioritize a nonprofit master developer or a partnership between a private developer and one or more community-based organizations who have experience showing accountability towards equity goals in the City of Berkeley.
- H. **Developer Accountability.** The selected developers must have a demonstrated commitment and feasible plans to produce affordable housing and be accountable for

making affordability the first priority. Selecting a developer who merely pledges a best effort to provide affordable units would not be sufficient.

- I. **Funding.** BART and the City of Berkeley should proactively seek new, innovative funding solutions to help achieve two truly visionary, equitable, and sustainable projects.
- J. **Clustering and Integration.** Affordable units may be clustered into one or more 100% affordable housing buildings on the BART sites but must be designed in a way that integrates with the larger project and shares [comparable](#) design standards and quality.
- K. **Inclusive Housing Design.** The selected developer will prioritize affordable housing for renters with various needs, including but not limited to families, people with physical or mental disabilities, and formerly homeless people.

Priorities for Ashby

- A. **Adeline Corridor Affordable Housing Goal.** Consistent with the Adeline Corridor Specific Plan, the City and BART should strive for a goal of 100% deed-restricted affordable housing, prioritizing extremely low, very-low and low-income affordable housing.
- B. **Residents with Disabilities.** Ashby BART should be developed in a way that prioritizes the inclusion of residents with disabilities, who are likely to benefit from proximity to the Ed Roberts Campus, [specifically as part of the development of the East Parking Lot at Ashby Station.](#)
- C. **South Berkeley Preference.** To address past and current displacement, the development should provide a preference to applicants who either currently live in South Berkeley or have been displaced from the community. This preference must be implemented in a way which is consistent with the City's Fair Housing goals and federal law.

Public and Civic Space

VISION

New public and civic space at both Ashby and North Berkeley BART will provide a community anchor, open space amenity, and memorable neighborhood gathering space that is accessible to all. It will be available for programmed community uses and activities, as well as for informal, unprogrammed public use by residents, visitors, and transit riders alike. New public space will [maximize greenery \(to the extent feasible\)](#) and enhance the ability of all community members to walk, roll, and take transit, supporting better station access and healthy, climate-friendly active transportation. North Berkeley will be a nexus of active transportation centered along a major new connection of the Ohlone Greenway.

Ashby will be anchored by a market and oriented along a street built for people and multiple modes of transportation.

Shared Priorities

- A. **Maintenance Costs.** New civic space should be maintained by the developer/lessee to minimize the ongoing cost of operations and maintenance to BART and the City.
- B. **New Public Space.** Pursue new public space design in a way that delivers on the vision while maximizing the number of on-site affordable housing units.
- C. **Station Access.** Design the public realm to support priorities in the Access section of this document.

Priorities for Ashby

- A. **Hub for African American Life.** Reinforce South Berkeley's historic role as a hub for African American culture and life in the Bay Area.
- B. **Flea Market.** Provide a permanent, viable home for the Berkeley Community Flea Market – offering supportive amenities such as public restrooms, limited office/storage space, electrical and water access and weather protection - in a prominent location.
- C. **Stakeholder Input.** Public space will be designed with input from the Flea Market, Lorin Business Association, neighborhood residents, representatives from the disability community, and other neighborhood stakeholders. Facilities for the Flea Market will be designed in collaboration with the vendors and Community Services United.
- D. **Adeline Design.** Reconfigure Adeline Street to transform a four-lane arterial into a safer space for all modes of transportation, creating a more walkable, vibrant place. Flea Market and/or other public activities may occur on some or all of this portion of Adeline Street.
- E. **Green Space.** Expand the availability of green space for the neighborhood.

Priorities for North Berkeley

- A. **Ohlone Greenway Connection.** The development should include a landscaped (as feasible given BART operational needs) protected bikeway that connects the disjointed ends of the Ohlone Greenway to each other and to BART, providing a primary access route and orientation of the development that enables a prioritized pedestrian and bicycle connection from approximately the southeast corner of the site to the northwest corner of the site and across the streets.
- B. **Public Space Use.** Public space should provide opportunities for both active and passive public use, with strong connections to the station entrance, the Ohlone Greenway, or other public spaces and pedestrian facilities.

- C. **Street Design.** The design of surrounding streets should be considered as a strategy to accommodate public space needs, increase the tree canopy, and improve safety for pedestrians and bicycles. Explore the feasibility of reducing the width and number of traffic lanes in adjacent streets to their original (pre-BART) condition, aligning curbs with adjacent blocks in a manner that builds upon and is consistent with the City and BART's recent Complete Streets and roadway improvement projects in the area. Streets may retain their current width where there is some functional use for the extra space, such as bike lanes and cycle tracks that previously did not exist, and there may be bulb-outs at intersections. Perimeter sidewalks should consider generous pedestrian space and tree canopy.

Land Use

VISION

Land uses at Ashby and North Berkeley Stations will serve community needs; provide significant amounts of new housing; complement neighborhood businesses, services, and institutions; create a welcoming environment for all; support BART ridership; and improve quality of life for current and future residents. Ground-floor residential and non-residential uses should be pedestrian-oriented and contribute positively to public space and the pedestrian experience.

Shared Priorities

- A. **Overall Mix of Uses.** At both stations, the predominant use will be transit-oriented housing and transit uses, complemented by fully accessible public, green, and recreation space (including for all ages and abilities) and appropriate non-residential uses. Additional priorities for these uses are found in the Affordable Housing, Public and Civic Space, and Station Access and Parking Management sections of this document.
- B. **Non-residential Spaces.** Curate and program any non-residential spaces to provide interest and character, encourage community gathering, support social interactions, and provide unique neighborhood activities and services. Any non-residential uses should be customized to meet the unique needs of each station and neighborhood.

Priorities for Ashby

- A. **Role of Non-residential Uses.** Non-residential uses at Ashby should reinforce the area's historic role as a center of neighborhood commerce, cultural expression, social connection, and economic empowerment.
- B. **Non-Residential Active Frontages.** Non-residential uses should have active frontages oriented towards Adeline Street, Ashby Avenue, and the future Flea Market public space. Ground-floor uses should activate public space and complement the Flea Market, while promoting everyday activities when the Flea Market isn't occurring.

- C. **Prioritized Non-residential Uses.** The following types of potential non-residential uses should be prioritized, though not all are anticipated to be present in any one development project¹:
1. The Berkeley Flea Market, and indoor or outdoor spaces related to the Flea Market
 2. Businesses and organizations that reinforce the neighborhood's historic role as a center of Black culture and identity
 3. Businesses, organizations, or services that are oriented towards, or provide economic opportunity for people in the neighborhood or their descendants who were involuntarily displaced, interned, or historically disenfranchised on the basis of race
 4. New uses that expand and complement the role and mission of the Ed Roberts Campus and empower those living with disabilities
 5. Spaces for cultural activities, performance, display, community activities, or other uses and amenities that support the area's role as an arts and culture district.

Priorities for North Berkeley

- A. **Role of Non-residential Uses.** Non-residential uses such as retail, services, or indoor community spaces are anticipated to have a limited role at North Berkeley.
- B. **Non-residential Active Frontages.** Non-residential uses that do occur should be oriented with active frontages towards the station entry or other interior areas and/or Sacramento Street.
- C. **Respect Neighborhood Needs.** Non-residential uses that do occur should be focused towards meeting neighborhood needs and complementing the existing range of businesses and services already available nearby.
- D. **Potential Non-Residential Uses.** Non-residential uses may include the following²:
1. Uses that help reduce the need for driving in North Berkeley, such as commuter-focused amenities, childcare, community services, or satellite locations for existing community businesses or organizations
 2. Small-scale walkable retail or café type uses
 3. Space for activities, gatherings, or events.

¹ Specific permitted and prohibited uses for Ashby Station will be identified in the zoning code.

² Specific permitted and prohibited uses for North Berkeley Station will be identified in the zoning code.

Building Form

VISION

New buildings at Ashby and North Berkeley Stations will be beautiful, creatively designed, well-proportioned, create visual and physical connections with the neighborhood through its architectural design and contribute positively to the physical fabric and long-term quality of life of the neighborhood. They will provide elements that neighborhood residents currently enjoy – such as natural light, air, direct outdoor access, variety, quirkiness, walkability, and sociability – in a denser, transit-oriented format that supports BART ridership. Buildings should exhibit a level of architectural diversity that expresses the social, racial, economic, and design diversity that is desired at both stations. Ground-floor spaces and building frontages should activate public space, while providing a sense of place and character to the stations and the surrounding neighborhood.

Shared Priorities

- A. **Height Variation.** AB 2923 does not permit the City's zoning controls to restrict building height below seven stories on the station sites. The City and BART will support variations in building height and form at both stations. It is anticipated that some buildings and some portions of buildings will be shorter than the maximum height in keeping with good urban design practice.
- B. **Context.** Building design should consider the scale and character of the surrounding built environment.
- C. **Location and Orientation.** Locate and design new buildings to enhance public spaces while mitigating impacts on existing neighbors through site orientation, setbacks, lines of sight between buildings, landscape and topography.
- D. **Equitable Design Quality.** Design affordable housing units in a way that integrates with the larger project and shares comparable design standards and quality.
- E. **Small Blocks.** Prioritize site designs with smaller blocks and building footprints instead of larger blocks.
- F. **Architectural Variety.** Design buildings to provide visual interest with variation in height, scale, massing, rooflines, materials, and architectural elements.
- G. **Building Scale.** Provide regular breaks in building forms, as well as both horizontal and vertical detail to respond to the existing neighborhood context and character, particularly at the edges of the site. Provide adequate perimeter space for pedestrian volume and tree canopy/vegetation.
- H. **Unit Diversity.** Encourage building forms that allow a diversity of unit sizes, types, and configurations.

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- I. **Sunlight.** Seek to configure buildings and include design strategies that allow sunlight to reach public spaces, and design outdoor spaces, outdoor seating and active retail frontages, if provided, to maximize southern, western, and/or eastern exposure.
- J. **Outward-facing Entrances.** For ground-floor housing units, encourage outward-facing entrances with a range of design treatments and access strategies. These could include stoops, front doors, courtyard and forecourt entrances, ramped or at-grade universally accessible entries, outward-facing and visually permeable lobby entrances, and transition spaces from private frontages to public spaces.
- K. **Ground-floor Non-residential Frontages.** For ground-floor non-residential uses, provide frequent windows and doors, visual connection between indoors and outdoors, frontage onto public space, direct access to the pedestrian circulation network, and activation strategies such as outdoor seating, dining, display spaces, public art, and architectural detailing.
- L. **Universal Accessibility.** Preference [for](#) building designs with universally accessible units and elevator redundancy to promote accessibility for seniors and those with disabilities.
- M. **BART Entrances.** Ensure that BART entrances are featured prominently and integrated into the overall site plan.
- N. **Integrated Green Space.** Integrate gardens, courtyards, roof terraces, trees, native landscaping, and other green spaces into building architecture and site design.

Priorities for Ashby

- A. **Massing and Height Focus.** Focus density, larger building forms and height towards Adeline Street and Ashby Avenue on the west parking lot parcel, and towards the rear of the Ed Roberts Campus on the east parking lot parcel.
- B. **Active Frontages.** Connect new buildings to Adeline Street and Ashby Avenue with direct pedestrian access, minimal setbacks, and active frontages to complement the existing active uses across the street.
- C. **Site Design.** Ensure that building form, scale, and the overall site plan provide sufficient space for the Flea Market and other civic and community uses.

Priorities for North Berkeley

- A. **Massing and Height Focus.** Focus density, larger building forms and height towards the Ohlone Greenway and the center of the site and towards Sacramento Street.
- B. **Massing Breaks and Step-downs.** Provide massing breaks, step-downs in height, and frequent pedestrian building entrances along Delaware Street, Acton Street, and Virginia Street, with building forms and frontages that create a residential character and scale.

- C. **Active Frontages.** Prioritize active frontages, public space programming, and car-free activities along the Ohlone Greenway.

Station Access

Vision

Station access investments in and around the stations will enhance community vibrancy, safety, equity, and health while improving the quality of the public space and pedestrian experience, both within and beyond the station areas. Priority access investments are those that encourage people to walk, bike, roll, ride transit, and use shared micro-mobility options, while still providing flexibility for changing technologies and trends. Access investments will be distributed equitably to improve the experience for people of all ages, all abilities, and all income levels getting to and moving through the stations.

Shared Priorities

- A. **Housing and Community Benefits.** Favor affordable housing and other community benefits over BART rider parking and TOD resident parking in any physical or financial decision-making.
- B. **Non-Automobile Access.** Increase the share of BART riders who access the stations via modes other than driving alone and parking. Prioritize access improvements in the surrounding neighborhoods and within the station areas that offer safe, comfortable, affordable, cost-effective alternatives for all BART customers, particularly those with mobility challenges. Future access planning should consider the rapid evolution for mobility trends and technologies and consider the adaptability of the station access plans to future foreseeable and unforeseeable mobility patterns and their ability to handle ridership growth without running into capacity constraints.
- C. **Equitable Access.** Provide safe and secure station access options for people of all ages, abilities, races and ethnicities, genders, and income levels.
- D. **Parking Options.** Minimize the need for new structured on-site BART customer parking by maximizing the use of available parking capacity along the corridor (such as Center Street parking garage, shared parking with the TOD or with other sites, and on-street parking management around site perimeters).
- E. **Transportation Demand Management.** Any future development must include aggressive and innovative Transportation Demand Management strategies to reduce the vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions by residents, visitors, and employees by 20% by complying with BART's Transportation Demand Management program.
- F. **Parking and Traffic Impacts.** Limit the impacts of parking and driving on residents of the developments and surrounding neighborhoods (such as noise, air quality, GHG, and

collisions) through transportation demand management, multi-modal circulation and access planning, infrastructure improvements, parking management, and other best practices.

- G. **Market Rate Pricing for Parking.** Explore parking pricing that is better aligned with market demand as a possible strategy to promote BART rider and on-street parking availability, with consideration of the impacts of parking pricing on low-income residents and BART riders.
- H. **Prioritize Curb Space.** Buses and shuttles will be located to prioritize people with disabilities, active loading of passengers (over waiting vehicles), services available to the public, and the number of people transferring to BART. Different types of passenger loading zones will be incorporated for quick pick-ups and drop-offs, those that need to wait for their passenger, accessible loading areas, ride apps and taxis.
- I. **Wayfinding and Signage.** Provide clear, accessible, adaptable station access signage and wayfinding to facilitate how people get to/from and through the station area consistent with the Metropolitan Transportation Commission's standards.
- J. Strive to locate BART-related drop-off zones on-site and connections to transit on site or on 4-lane corridors.

Priorities for Ashby

- A. **Pedestrian & Bicycle Connections.** Provide high-quality, safe pedestrian and bicycle connections to and through the site, including an off-street protected bicycle facility extending along Adeline Street, at least between Ashby Avenue and the intersection with MLK Way, with the potential to extend further through related Adeline improvement efforts.
- B. **Adeline Design.** Reconfigure Adeline Street to transform a four-lane arterial into a safer space for all modes of transportation, creating a more walkable, vibrant place.

Priorities for North Berkeley

- A. **Adjacent Streets.** Consider the role and design of adjacent streets – including Sacramento Street, Delaware Street, Virginia Street, and Acton Street – in multi-modal access planning for the North Berkeley Station.
- B. **Commuter Parking Priority.** Where parking would be provided, maximize parking for commuters over parking for residential and/or potential community, non-profit, or retail uses.